

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KIMBERLY BERNARD

Case #2:22-cv-00305

Plaintiff(s),

vs.

FRED THEIL, ET AL.

Defendant(s).

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**

FILING FEE IS \$250.00

Thomas J. McKenna  
(name of petitioner)

, Petitioner, respectfully represents to the Court:

1. That Petitioner is an attorney at law and a member of the law firm of

Gainey McKenna & Egleston

(firm name)

with offices at 501 Fifth Avenue, 19th Floor

(street address)

New York

(city)

New York

(state)

10017

(zip code)

212-983-1300

(area code + telephone number)

tjmckenna@gme-law.com

(Email address)

2. That Petitioner has been retained personally or as a member of the law firm by

Kimberly Bernard

[client(s)]

to provide legal representation in connection with

the above-entitled case now pending before this Court.

3. That since August 27, 1985, Petitioner has been and presently is a  
 (date)  
 member in good standing of the bar of the highest Court of the State of New York  
 (state)  
 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or  
 from the clerk of the supreme court or highest admitting court of each state, territory, or insular  
 possession of the United States in which the applicant has been admitted to practice law certifying  
 the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District  
 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
New York State Courts -- All	08/27/1985	2009546
Eastern and Southern District of New York	10/28/1986	
2nd Circuit Court of Appeals	10/25/2010	
5th Circuit Court of Appeals	05/14/2012	
6th Circuit Court of Appeals	06/23/2011	
11th Circuit Court of Appeals	08/02/2010	
Supreme Court of the United States	03/04/2014	

5. That there are or have been no disciplinary proceedings instituted against petitioner,  
 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory  
 or administrative body, or any resignation or termination in order to avoid disciplinary or  
 disbarment proceedings, except as described in detail below:

None

6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give particulars if ever denied admission):

None

7. That Petitioner is a member of good standing in the following Bar Associations.

New York

8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
None			

(If necessary, please attach a statement of additional applications)

9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

10. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

11. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
FOR THE PURPOSES OF THIS CASE ONLY.

STATE OF New York }  
COUNTY OF New York }

Thomas J. McKenna

Petitioner's signature

Thomas J. McKenna, Petitioner, being first duly sworn, deposes and says:

That the foregoing statements are true.

Thomas J. McKenna

Petitioner's signature

Subscribed and sworn to before me this

8th day of June, 2022.

Ashika C. Bailey

Notary Public or Clerk of Court

ASHIKA C. BAILEY  
Notary Public, State of New York  
No. 01BA6372024  
Qualified in Bronx County  
Commission Expires March 12, 2026

**DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO  
THE BAR OF THIS COURT AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate Matthew L. Sharp,  
(name of local counsel)  
Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate resident counsel in this action. The address and email address of said designated Nevada counsel is:

432 Ridge Street,  
(street address)

Reno, Nevada 89501,  
(city) (state) (zip code)

775-324-1500, matt@mattsharpplaw.com,  
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.

4  
5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6  
7 The undersigned party(ies) appoint(s) Matthew L. Sharp as  
8 his/her/their Designated Resident Nevada Counsel in this case.  
(name of local counsel)

9  
10   
11 (party's signature)

12 Kimberly Bernard  
13 (type or print party name, title)

14 (party's signature)

15 (type or print party name, title)

16  
17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.


19  
20   
Designated Resident Nevada Counsel's signature

21 4746  
22 Bar number

matt@mattsharpplaw.com  
Email address

23 **APPROVED:**

24 **DATED this** 9th day of June, 2022.

25  
26  
27   
28 **RICHARD E. BOULWARE, II**  
United States District Judge



*Appellate Division of the Supreme Court  
of the State of New York  
Third Judicial Department*

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*I, Robert D. Mayberger, Clerk of the Appellate Division of  
the Supreme Court of the State of New York, Third Judicial  
Department, do hereby certify that*

*Thomas James Mckenna*

*was duly licensed and admitted to practice as an Attorney and  
Counselor at Law in all the courts of this State on August 27, 1985,  
has duly taken and subscribed the oath of office prescribed by law,  
has been enrolled in the Roll of Attorneys and Counselors at Law  
on file in this office, is duly registered with the Administration  
Office of the Courts, and according to the records of this Court is  
currently in good standing as an Attorney and Counselor-at-Law.*



*In Witness Whereof, I have hereunto set  
my hand in the City of Albany on June  
8, 2022.*

*Robert D Mayberger*

*Clerk of the Court*